FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2587 OF 2004

Office Notes, Office Memoranda appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Order

Mr.K.S.Dewal, for Petitioner.

Mr.P.R.Arjunwadkar, for Respondent

CORAM: D.K.DESHMUKH,J.

DATED: 13th July, 2005.

P.C.:-

1. It is clear from the application filed by the petitioner himself dated 29.7.1999 for restoration of the suit that the petitioner came to know that his suit has been dismissed for default on 8.1.1999. The Court has dismissed the application for restoration of suit because even from the date of knowledge i.e. 8.1.1999, the application was not filed within a period of limitation nor

was any application for condonation of delay in filing the application was made. Thus, I find that the order of the Trial Court dismissing the application in the absence of any application for condonation of delay is perfectly right and cannot be interfered with by this Court in its limited jurisdiction under Article 227 of the Constitution of India. Hence, the petition is rejected.